

REMARKS

Claims 1-10 and 14-20 have been canceled without prejudice or disclaimer. Claims 21-28 have been added and therefore are pending in the present application. Claims 21-28 are supported throughout the specification, including the original claims.

It is respectfully submitted that the present amendment presents no new issues or new matter and places this case in condition for allowance. Reconsideration of the application in view of the above amendments and the following remarks is requested.

I. The Rejection of Claims 1-4 and 14-20 under 35 U.S.C. 112

Claims 1-4 and 14-20 are rejected under 35 U.S.C. 112 as being indefinite. Specifically, the Office objected to the phrase “heating the dough” because it is not clear whether baking is meant by this phrase.

Claim 1 has been rewritten as claim 21 to recite the phrase “baking the dough”. Applicants submit that new claim 21 overcomes this rejection, and respectfully request reconsideration and withdrawal of the rejection.

II. The Rejection of Claims 1-10 and 14-20 under 35 U.S.C. 103

Claims 1-10 and 14-20 are rejected under 35 U.S.C. 103 as being unpatentable over Schuster et al. (U.S. Patent No. 6,254,903) in view of Viet et al. (1991, Appl. Environ. Microbiol., 57:445-449). This rejection is respectfully traversed.

According to the Office, Shuster et al. disclose a method of producing baked goods using enzymes leading to prevention of staling such as maltogenic amylase and xylanase

However, Shuster et al. do not teach or suggest a method of producing baked goods using a xylanase, which has at least 98% identity to the sequence of amino acids 1-182 of SEQ ID NO: 2, as claimed herein.

Viet et al. disclose a xylanase which has 96.7% similarity with the xylanase, which has the sequence of amino acids 1-182 of SEQ ID NO: 2

However, Veit et al. also do not teach or suggest a method of producing baked goods using a xylanase, which has at least 98% identity to the sequence of amino acids 1-182 of SEQ ID NO: 2, as claimed herein.

For the foregoing reasons, Applicants submit that the claims overcome this rejection under 35 U.S.C. 103. Applicants respectfully request reconsideration and withdrawal of the rejection.

III. Conclusion

In view of the above, it is respectfully submitted that all claims are in condition for allowance. Early action to that end is respectfully requested. The Examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this amendment or application.

All required fees were charged to Novozymes North America, Inc.'s Deposit Account No. 50-1701 at the time of electronic filing. The USPTO is authorized to charge this Deposit Account should any additional fees be due.

Respectfully submitted,

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